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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/389,939	09/03/1999	PAUL T. GREEN	321.5452USU	6068

7590 11/30/2004

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EXAMINER


CUFF, MICHAEL A

ART UNIT	PAPER NUMBER
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3627

DATE MAILED: 11/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Interview Summary	Application No.	Applicant(s)	
	09/389,939	GREEN, PAUL T.	
	Examiner	Art Unit	
	Michael Cuff	3627	

All participants (applicant, applicant's representative, PTO personnel):

(1) Michael Cuff.

(3) _____

(2) Paul Greeley.

(4) _____

Date of Interview: 23 November 2004.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
If Yes, brief description: _____

Claim(s) discussed: 18-24, 26-29, 42-44, 47, 50 and 51.

Identification of prior art discussed: Mathworks.com.

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

 11/23/04
MICHAEL CUFF
PRIMARY EXAMINER

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Attorney Greeley called to inform the examiner that the mathworks.com reference, dated february 9, 1999 did not overcome the priority date of 9/4/98 from the provisional application. The examiner pulled up the bibdata sheet and the PALM data related to the subject application. There was no indication of a provisional application. The examiner did find the claim for domestic priority in the oath of the application, but not in the first sentence of the specification. Currently, the application does not meet the 37 CFR 1.78 (a)(2) requirements for priority and therefore the final is proper. For the sake of a speedier prosecution, the examiner reviewed earlier version, December 12, 1997, (attached) of mathworks.com and found it to be substantially similar to the February 9, 1999..